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COUNCIL      COMMUNICATION

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TO:      THE CITY COUNCIL  
FROM:    THE CITY MANAGER'S OFFICE

COUNCIL MEETING DATE  
OCTOBER 18, 1989

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SUBJECT:    SET PUBLIC HEARING TO CONSIDER ADOPTION OF RESOLUTION OF NECESSITY TO ACQUIRE  
              BY EMINENT DOMAIN THE PROPERTY AT 5200 EAST SARGENT ROAD, LODI

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PREPARED BY:                      City Attorney

RECOMMENDED ACTION:            That the City take the initial step in eminent  
   domain procedures by setting a public hearing for  
   November 15, 1989 to consider the adoption of a  
   resolution of necessity for acquisition of the  
   industrial substation site at 5200 East Sargent Road.

BACKGROUND INFORMATION:    The City is negotiating with the property owners of  
   5200 East Sargent Road to purchase 8.1 acres of the  
   parcel to the north of future Thurman Street for the  
substation.    The City's right-of-way negotiator, Jerry Heminger, has been  
meeting with the owners of the property.    The meetings have gone well;  
however, we still do not have a signed right-of-entry or the agreement for  
the purchase.    Because of the tight scheduling of this project, we should  
proceed with this action in order to assure that we can keep our timetable if  
further delays in negotiations occur.

Respectfully submitted,



BOB McNATT  
City Attorney

BM:vc

CCSARGNT/TXTA.01V